



Entered on Docket
May 20, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

RICK A. YARNALL
CHAPTER 13 BANKRUPTCY TRUSTEE
Marianne Gatti, Esq.
Nevada Bar No. 7717
701 Bridger Avenue, Suite 820
Las Vegas, Nevada 89101
Telephone: (702) 853-4500
RAY13mail@LasVegas13.com

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re:

BK-S-08-20447-MKN
Chapter 13

DANIEL DIAZ, and
GISELA ELIZABETH PEREZ,

Hearing Date: N/A
Hearing Time: N/A

Debtor(s).

EX- PARTE ORDER DISMISSING BANKRUPTCY PROCEEDING

On or about April 30, 2010, Debtor(s), Daniel Diaz and Gisela Elizabeth Perez, by and through their counsel, entered into a Stipulation to Convert or Dismiss Case By Date Certain; Order Thereon (the "Stipulation") (See Docket #91) with Rick A. Yarnall, Chapter 13 Bankruptcy Trustee, by and through his counsel, Marianne Gatti, Esq. The Stipulation required the within Debtor(s) to move to convert from a Chapter 13 Bankruptcy case to a Chapter 7 Bankruptcy case by May 14, 2010.

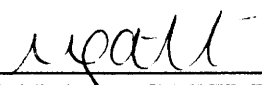
...

1 As of the date of this Order, the Debtor(s) have failed to comply with the above stated conditions.

2
3 **IT IS HEREBY ORDERED** that the above-captioned bankruptcy proceeding under Chapter 13
4 is **DISMISSED** for the Debtors' failure to convert to a Chapter 7 Bankruptcy case by May 14, 2010.

5 **IT IS SO ORDERED.**

6
7
8 Respectfully Submitted:

9
10 
11 _____
12 MARIANNE GATTI, ESQ.
13 Nevada Bar No. 7717
14 701 Bridger Avenue, Suite 820
15 Las Vegas, Nevada 89101
16 Attorney for RICK A. YARNALL
17 Chapter 13 Bankruptcy Trustee

DATE: 5-18-10

18
19
20
21
22
23
24
25 ###
26
27
28

E-filed: 5-18-10

RICK A. YARNALL
CHAPTER 13 BANKRUPTCY TRUSTEE
Marianne Gatti, Esq.
Nevada Bar No. 7717
701 Bridger Avenue, SUITE 820
Las Vegas, Nevada 89101
Telephone: (702) 853-4500
RAY13mail@LasVegas13.com

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re:

BK-S-08-20447-MKN
Chapter 13

DANIEL DIAZ, and
GISELA ELIZABETH PEREZ,

Hearing Date: N/A
Hearing Time: N/A

Debtor(s).

AFFIDAVIT IN SUPPORT OF EX-PARTE ORDER OF DISMISSAL

County Of Clark)
) ss:
State of Nevada)

I, Leah Abeyta, being first duly sworn upon his oath, hereby deposes and says:

1. That I am an employee of Rick A. Yarnall, Chapter 13 Bankruptcy Trustee make this Affidavit of facts from personal knowledge which is known to me except for those matters stated upon information and belief, and as to those matters, I believe same to be true.

2. That I make this Affidavit in support of the Ex-Parte Order of Dismissal.

3. On or about April 30, 2010, a Stipulation to Convert or Dismiss Case By Date Certain; Order Thereon was entered into between Rick A. Yarnall, Chapter 13 Trustee and Counsel for Debtor(s), Daniel Diaz and Gisela Elizabeth Perez, requiring the Debtor(s) to convert to a Chapter 7 Bankruptcy by May 14, 2010.

///

1
2 4. The May 14, 2010, deadline has passed and the Debtor(s) have failed to convert his
3 Chapter 13 Bankruptcy case to a Chapter 7 Bankruptcy case.

4 FURTHER, AFFIANT SAYETH NAUGHT this 18th day of May, 2010.

5
6
7
8 LEAH ABEYTA

An employee of RICK A. YARNALL,
Chapter 13 Bankruptcy Trustee

9
10
11
12 SWORN to and SUBSCRIBED before me this
13 18th day of May, 2010.

14
15
16 NOTARY PUBLIC in and for said County and State

